

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 6TH DECEMBER 2006 / 15TH AGRAHAYANA 1928

Bail Appl..No. 7216 of 2006()

CMP.12364/2006 of J.M.F.C.-I,KOTTARAKKARA
CRIME NO.129/06 OF KOTTARAKKARA EXCISE RANGE.
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PETITIONER/ACCUSED

BIJU, S/O. RAJENDRAN,
KASINIVAS, KARUVELI MURI,
EZHUKONE VILLAGE, KOTTARAKKARA.

BY ADV. SRI.K.V.ANIL KUMAR

RESPONDENT: COMPLAINANT

STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 06/12/2006,THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

V. RAMKUMAR, J.

BAIL APPLICATION No.7216 OF 2006

DATED THIS THE 6TH DAY OF DECEMBER, 2006

O R D E R

In this Petition filed under Sec.439 Cr.P.C. the petitioner who is the accused in Crime No.129/06 of Kottarakkara Excise Range for an offence punishable under Section 55(g) of the Abkari Act, for having been found in possession of 1050 liters of wash on 8.7.2006, seeks his enlargement on bail.

2. I heard the learned counsel for the petitioner and the learned Public Prosecutor. The learned Public Prosecutor opposed the application.

3. I am not satisfied that both the grounds enumerated under Clause (b)(ii) of Sec.41A of the Abkari Act are present in this case so as to justify the release of the petitioner on bail.

This application is accordingly dismissed.

V.RAMKUMAR, JUDGE.

dsn/-